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# **FAX TRANSMISSION COVER SHEET**

March 19, 2008

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359878-5

(CARD1110-1)

U.S. Patent and Trademark Office

(571) 273-6500

From:

Daryl A. Basham, J.D., Ph.D.

for Applicant

Attorney for Applicant Reg. 45,869

Reg. 45,869 (858) 677-1429

Re:

United States Patent Application No. 10/642,255

Entitled: GENE THERAPY FOR CRITICAL LIMB ISCHEMIA WITH WILD

Client-Matter Number:

TYPE OF MUTANT eNOS

Filed:

August 15, 2003

Inventors : I Our Ref. : (

Dole et al. CARD1110-1

Pages: - 2 - (including this form)

Originals: □ will be mailed ⋈ will not be mailed

If there is a problem with this transmission, please call: Cynthia Stepanek/(858) 638-6677

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#### Message:

# Attached please find:

1. Statement under 37 C.F.R. § 1.27(c)(1) (1 page).

### CERTIFICATION UNDER 37 CFR §§ 1.6(d), 1.8

I hereby certify that the documents referred to as enclosed herein are being transmitted via facsimile to [(571) 273-6500] on March 19, 2008 to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Cynthia Stepanek

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Carlling

March 19, 2008

Dat

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PATENT

Attorney Docket No.: CARD1110-1

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Dole et al.

Art Unit:

1633

Application No.:

10/641,924

Examiner: Kevin Kai Hill

Filed:

August 15, 2003

Conf. No.: 3168

Title:

GENE THERAPY FOR CRITICAL LIMB ISCHEMIA WITH WILD TYPE

OF MUTANT eNOS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### REQUEST TO CHANGE ENTITY STATUS

Sir:

This paper is being filed under the provisions of 37 C.F.R. § 1.27(c)(1) to notify the U.S. Patent and Trademark Office that Applicants are entitled to small entity status.

The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896.

Respectfully submitted,

Date: March 19, 2008

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#### **USPTO CUSTOMER NUMBER 28213**

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4365 Executive Drive, Suite 1100 San Diego, California 92121-2133

CERTIFICATION UNDER 37 CFR §§ 1.6(d), 1.8

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